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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,883	09/15/2006	Siegfried Ansorge	P29678	4705

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EXAMINER	
SZNAIDMAN, MARCOS L	
ART UNIT	**PAPER NUMBER**
4173	

NOTIFICATION DATE	DELIVERY MODE
11/15/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/575,883	ANSORGE ET AL.	
	Examiner	Art Unit	
	Marcos L. Sznaidman	4173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 September 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *77-92* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *77-92* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D1 (a), including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group II, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D1 (b), including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group III, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D2, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group IV, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D3, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group V, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D4, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group VI, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D5, including tautomers, stereoisomers thereof,

pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group VII, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D6, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group VIII, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D7 (a), including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group IX, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D7 (b), including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group X, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a

pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D7 (c), including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XI, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D8, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XII, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D9, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XIII, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D10, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XIV, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D11, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XV, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D12, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XVI, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D13, including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XVII, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D14 (a), including tautomers, stereoisomers

thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XVIII, claim(s) 77-78, drawn to a pharmaceutical cosmetic composition comprising at least one pharmaceutically or cosmetically acceptable carrier and a pharmaceutically or cosmetically acceptable adjuvant and at least one active ingredient selected from compounds of formula D14 (b) and (c), including tautomers, stereoisomers thereof, pharmaceutically acceptable salts, salt derivatives, tautomers and stereoisomers thereof.

Group XIX, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D1 (a) and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XX, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D1 (b) and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXI, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D2 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXII, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D3 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXIII, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D4 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXIV, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D5 and an active ingredient thereof,

alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXV, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D6 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXVI, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D7 (a) and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXVII, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D7 (b) and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXVIII, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and

analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D7 (c) and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXIX, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D8 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXX, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D9 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXXI, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D10 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXXII, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D11 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXXIII, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D12 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXXIV, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D13 and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXXV, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D14 (a) and an active ingredient

thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXXVI, claim(s) 79-82, drawn to a method of inhibiting or topically influencing an activity of at least one enzyme selected from dipeptidyl peptidase IV and analogous enzymes in a subject in need thereof, wherein the method comprises administering to the subject a compound of formula D14 (b) and (c) and an active ingredient thereof, alone or in combination with one or more inhibitors of alanyl aminopeptidase or analogous enzymes.

Group XXXVII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D1 (a) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XXXVIII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D1 (b) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XXXIX, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D2 and an active

ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XL, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D3 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLI, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D4 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D5 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLIII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D6 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLIV, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D7 (a) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLV, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D7 (b) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLVI, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D7 (c) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLVII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D8 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLVIII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the

method comprises administering to the subject a compound of formula D9 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group XLIX, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D10 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group L, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D11 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LI, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D12 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D13 and an active

ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LIII, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D14 (a) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LIV, claim(s) 83-84, drawn to a method for preventing or treating at least one condition selected from the diseases listed in claims 83 or 84, wherein the method comprises administering to the subject a compound of formula D14 (b) and (c) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LV, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D1 (a) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LVI, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula

D1 (b) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LVII, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D2 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LVIII, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D3 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LIX, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D4 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LX, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D5 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXI, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D6 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXII, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D7 (a) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXIII, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D7 (b) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXIV, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D7 (c) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXV, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or

88, wherein the method comprises administering to the subject a compound of formula D8 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXVI, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D9 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXVII, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D10 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXVIII, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D11 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXVIX, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula

D12 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXX, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D13 and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXXI, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D14 (a) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXXII, claim(s) 85-86 and 88-89, drawn to a method for preventing or treating at least at least one condition selected from the diseases listed in claims 85 or 88, wherein the method comprises administering to the subject a compound of formula D14 (a) and (b) and an active ingredient thereof in an amount sufficient for preventing or treating at least one condition.

Group LXXIII, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D1 (a) and an active ingredient thereof.

Group LXXIV, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D1 (b) and an active ingredient thereof.

Group LXXV, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D2 and an active ingredient thereof.

Group LXXVI, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D3 and an active ingredient thereof.

Group LXXVII, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D4 and an active ingredient thereof.

Group LXXVIII, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D5 and an active ingredient thereof.

Group LXXIX, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D6 and an active ingredient thereof.

Group LXXX, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D7 (a) and an active ingredient thereof.

Group LXXXI, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D7 (b) and an active ingredient thereof.

Group LXXXII, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D7 (c) and an active ingredient thereof.

Group LXXXIII, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D8 and an active ingredient thereof.

Group LXXXIV, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D9 and an active ingredient thereof.

Group LXXXV, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D10 and an active ingredient thereof.

Group LXXXVI, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D11 and an active ingredient thereof.

Group LXXXVII, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D12 and an active ingredient thereof.

Group LXXXVIII, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D13 and an active ingredient thereof.

Group LXXXIX, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D14 (a) and an active ingredient thereof.

Group XC, claim(s) 87 and 90, drawn to a stent, which is coated with a compound of formula D14 (a) and (b) and an active ingredient thereof.

Group XCI, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D1 (a) and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D1 (b) and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCIII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D2 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCIV, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D3 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCV, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D4 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCVI, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D5 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCVII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism,

wherein the method comprises administering to the organism a compound of formula D6 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCVIII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D7 (a) and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group XCIX, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D7 (b) and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group C, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D7 (c) and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CI, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula

D8 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D9 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CIII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D10 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CIV, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D11 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CV, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D12 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CVI, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D13 and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CVII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D14 (a) and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

Group CVIII, claim(s) 91-92, drawn to a method for preventing or treating an inflammation reaction at, or caused by a medical device implanted into an organism, wherein the method comprises administering to the organism a compound of formula D14 (b) and (c) and an active ingredient thereof in an amount sufficient for preventing or treating the inflammation reaction.

The inventions listed as Groups I-CVIII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: there is no special technical feature because the compounds listed in Groups I-CVIII are structurally different (i.e. they belong to different classes/subclasses).

Elections

Election regarding Groups I, XIX, XXXVII, LV, LXXIII and XCI

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D1 (a).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group I, 79-82 for Group XIX, 83-84 for Group XXXVII, 85-86 and 88-89 for Group LV, 87 and 90 for Group LXXIII and 91-92 for Group XCI.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups II, XX, XXXVIII, LVI, LXXIV and XCII

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D1 (b).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group II, 79-82 for Group XX, 83-84 for Group XXXVIII, 85-86 and 88-89 for Group LVI, 87 and 90 for Group LXXIV and 91-92 for Group XCII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups III, XXI, XXXIX, LVII, LXXV and XCIII

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D2.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group III, 79-82 for Group XXI, 83-84 for Group XXXIX, 85-86 and 88-89 for Group LVII, 87 and 90 for Group LXXV and 91-92 for Group XCIII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species

represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups IV, XXII, XL, LVIII, LXXVI and XCIV

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D3.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group IV, 79-82 for Group XXII, 83-84 for Group XL, 85-86 and 88-89 for Group LVIII, 87 and 90 for Group LXXVI and 91-92 for Group XCIV.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups V, XXIII, XLI, LVIX, LXXVII and XCV

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D4.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group V, 79-82 for Group XXIII, 83-84 for Group XLI, 85-86 and 88-89 for Group LVIX, 87 and 90 for Group LXXVII and 91-92 for Group XCV.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one

species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups VI, XXIV, XLII, LX, LXXVIII and XCVI

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D5.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group VI, 79-82 for Group XXIV, 83-84 for Group XLII, 85-86 and 88-89 for Group LX, 87 and 90 for Group LXXVIII and 91-92 for Group XCVI.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups VII, XXV, XLIII, LXI, LXXVIX and XCVII

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D6.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group VII, 79-82 for Group XXV, 83-84 for Group XLIII, 85-86 and 88-89 for Group LXI, 87 and 90 for Group LXXVIX and 91-92 for Group XCVII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups VIII, XXVI, XLIV, LXII, LXXX and XCVIII

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D7 (a).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group VIII, 79-82 for Group XXVI, 83-84 for Group XLIV, 85-86 and 88-89 for Group LXII, 87 and 90 for Group LXXX and 91-92 for Group XCVIII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species

represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups IX, XXVII, XLV, LXIII, LXXXI and XCIX.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D7 (b).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group IX, 79-82 for Group XXVII, 83-84 for Group XLV, 85-86 and 88-89 for Group LXIII, 87 and 90 for Group LXXXI and 91-92 for Group XCIX.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups X, XXVIII, XLVI, LXIV, LXXXII and C.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D7 (c).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group X, 79-82 for Group XXVIII, 83-84 for Group XLVI, 85-86 and 88-89 for Group LXIV, 87 and 90 for Group LXXXII and 91-92 for Group C.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one

species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XI, XXVIX, XLVII, LXV, LXXXIII and CI.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D8.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XI, 79-82 for Group XXVIX, 83-84 for Group XLVII, 85-86 and 88-89 for Group LXV, 87 and 90 for Group LXXXIII and 91-92 for Group CI.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XII, XXX, XLVIII, LXVI, LXXXIV and CII.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D9.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XII, 79-82 for Group XXX, 83-84 for Group XLVIII, 85-86 and 88-89 for Group LXVI, 87 and 90 for Group LXXXIV and 91-92 for Group CII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XIII, XXXI, XLIX, LXVII, LXXXV and CIII.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D10.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XIII, 79-82 for Group XXXI, 83-84 for Group XLIX, 85-86 and 88-89 for Group LXVII, 87 and 90 for Group LXXXV and 91-92 for Group CIII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species

represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XIV, XXXII, L, LXVIII, LXXXVI and CIV.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D11.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XIV, 79-82 for Group XXXII, 83-84 for Group L, 85-86 and 88-89 for Group LXVIII, 87 and 90 for Group LXXXVI and 91-92 for Group CIV.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XV, XXXIII, LI, LXIX, LXXXVII and CV.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D12.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XV, 79-82 for Group XXXIII, 83-84 for Group LI, 85-86 and 88-89 for Group LXIX, 87 and 90 for Group LXXXVII and 91-92 for Group CV.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one

species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XVI, XXXIV, LII, LXX, LXXXVIII and CVI.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D13.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XVI, 79-82 for Group XXXIV, 83-84 for Group LII, 85-86 and 88-89 for Group LXX, 87 and 90 for Group LXXXVIII and 91-92 for Group CVI.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XVII, XXXV, LIII, LXXI, LXXXIX and CVII.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D14 (a).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims

subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XVII, 79-82 for Group XXXV, 83-84 for Group LIII, 85-86 and 88-89 for Group LXXI, 87 and 90 for Group LXXXIX and 91-92 for Group CVII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XVIII, XXXVI, LIV, LXXII, XC and CVIII.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Compounds listed in claims 77-78, which correspond to general structure D14 (b) and (c).

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 77-78 for Group XVIII, 79-82 for Group XXXVI, 83-84 for Group LIV, 85-86 and 88-89 for Group LXXII, 87 and 90 for Group XC and 91-92 for Group CVIII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or

corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups XXXVII-LIV

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows: Diseases listed in claims 83-84.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 83-84 for Groups XXXVII-LIV.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Election regarding Groups LVI-LXXII

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows: Diseases listed in claims 85 and 88.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply

must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The following claim(s) are generic: 85-86 and 88-89 for Groups LVI-LXXII.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species represent structurally divergent chemical compounds, and thus lack the same special technical feature. There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g. searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. 112, first paragraph.

Rejoinder Notice

The examiner has required restriction between product and process claims. Where applicant elects claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder. All claims directed to a nonelected process invention must require all the limitations of an allowable product claim for that process invention to be rejoined.

In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability in accordance with 37 CFR 1.104. Thus, to be allowable, the rejoined claims must meet all criteria for patentability including the requirements of 35 U.S.C. 101, 102, 103 and 112. Until all claims to the elected product are found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained. Withdrawn process claims that are not commensurate in scope with an allowable product claim will not be rejoined. See MPEP § 821.04(b). Additionally, in order to retain the right to rejoinder in accordance with the above policy, applicant is advised that the process claims should be amended during prosecution to require the limitations of the product claims. **Failure to do so may result in a loss of the right to rejoinder**. Further, note that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP § 804.01.

Inventorship Notice

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Sznaidman whose telephone number is 571 270-3498. The examiner can normally be reached on Monday through Friday 9 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin H. Marschel can be reached on 571 272-0718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MLS
November 7, 2007

11/9/07
ARDIN H. MARSCHEL
SUPERVISORY PATENT EXAMINER